

**United States Government
NATIONAL LABOR RELATIONS BOARD
Region 18
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December 5, 2008

Ms. Suzanne M. Pierce
8836 Colfax Ave. South
Bloomington, MN 55420

Re: THE SPORTSMAN'S GUIDE
Case 18-RD-2649

Dear Ms. Pierce:

The above-captioned case, arising from a petition filed pursuant to Section 9(c) of the National Labor Relations Act, as amended, has been carefully investigated and considered.

As a result of the investigation, it appears that further proceedings are not warranted at this time. On August 25, 2008, UNITE-HERE filed an unfair labor practice charge in Case 18-CA-18831 alleging that on about August 1, 2008, the Employer made unilateral changes in its health insurance benefits without negotiating with the Union. That charge has been investigated and settled. The Settlement Agreement includes an admission of a violation of the Act by unilaterally changing health insurance benefits without negotiating with the Union and that this conduct caused employee disaffection with the Union which led to the filing of this petition. The Settlement also requires that the Employer bargain in good faith with the Union with respect to wages, hours, and other terms and conditions of employment. This settlement precludes a question concerning representation. Accordingly, further proceedings are not warranted, and I am, therefore, dismissing the petition herein.

Pursuant to the National Labor Relations Board Rules and Regulations, Series 8, as amended, you may obtain a review of this action by filing a request therefor with the National Labor Relations Board, addressed to the Executive Secretary, National Labor Relations Board, 1099 – 14th Street N.W., Washington, DC 20570. A copy of such request for review must be served on the Regional Director and each of the other parties to the proceeding. This request for review must contain a complete statement setting forth the facts and reasons upon which it is based. The request for review (eight copies) must be received by the Executive Secretary of the Board in Washington, DC by the close of business on **December 19, 2008**, at 5:00 p.m. Eastern. You should be advised that Section 102.114 of the Board's Rules and Regulations precludes acceptance of a request for review by facsimile transmission. Upon good cause shown,

however, the Board may grant special permission for a longer period within which to file. The request for extension of time should be submitted to the Executive Secretary of the Board in Washington, DC, and a copy of any such request for extension of time should be submitted to the Regional Director and to each of the other parties to this proceeding. The request for review and any request for extension of time for filing must include a statement that a copy has been served on the Regional Director and on each of the other parties to this proceeding, and the copy must be served in the same or faster manner as that utilized in filing the request with the Board. When filing with the Board is accomplished by personal service, however, the other parties shall be promptly notified of such action by telephone, followed by service of a copy by mail.

In the Regional Office's initial correspondence, the parties were advised that the National Labor Relations Board has expanded the list of permissible documents that may be electronically filed with its offices. If a party wishes to file one of the documents which may now be filed electronically, please refer to the Attachment supplied with the Regional Office's initial correspondence for guidance in doing so. Guidance for E-filing can also be found on the National Labor Relations Board web site at www.nlr.gov. On the home page of the website, select the **E-Gov** tab and click on **E-Filing**. Then select the NLRB office for which you wish to E-File your documents. Detailed E-filing instructions explaining how to file the documents electronically will be displayed.

Very truly yours,

/s/ Robert W. Chester (MOO)

Robert W. Chester
Regional Director

RWC/bmg
Enc.
cc:

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